

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22800 of 2000

Dated: 22-06-2007

Between:

Earla Ramesh and another.

..... PETITIONERS

AND

The Agent to the Government (District Collector),
Khammam District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22800 of 2000

ORDER:

The two petitioners are non-tribals and they are residents of Karivarigudem Village, Jullurpadu Mandal, Khammam District. First petitioner is the son of second petitioner. It is their case that second petitioner purchased land admeasuring Acs.3.00 in survey No.13 situated in said Village in 1968 from another non-tribal, *namely*, Sri Bhaskara Chitti Raju. Second respondent initiated action under Section 3(2) of the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (the Regulation, for brevity) as amended by Regulation No.I of 1970 and passed orders on 23.08.1994 recording a finding that the transaction as a result of which the petitioners are in occupation of the land is void and is contrary to the Regulation. The petitioners then filed an appeal under Section 3 of the Regulation. The same being C.M.A.No.17 of 1994 was dismissed by first respondent on 01.06.1999, which is assailed in instant writ petition.

After making submissions for sometime, the learned counsel for the petitioners submits that the petitioners have not availed the remedy of revision under Section 6 of the Regulation and therefore, the petitioners may be given liberty to do so. This is not opposed by the learned Government Pleader for Social Welfare. In view of the above, without expressing any opinion on the merits of the case, especially on the question whether the transaction in question is rendered as null and void as per Section 3(1)(a) of the Regulation, this Court gives liberty to the petitioners to file a revision petition before the Government within a period of one week from the date of receipt of a copy of this order. Thereafter, the Government may dispose of the revision within a period of two months after giving notice of hearing to the counsel for the petitioners. Till the revision is disposed of there shall be *status quo* obtaining as on today.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(V.V.S.RAO, J)

22nd June, 2007

ghn

